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# Fascism and Criminal Law: History, Theory, Continuity

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# Fascism and Criminal Law: History, Theory, Continuity

**Fascism and Criminal Law: History, Theory, Continuity**
Fascism has been described as 'the major political innovation of the 20th century, and the source of much of its pain.' Brutal, repressive, and, in some cases, totalitarian, the fascist and authoritarian regimes of the early 20th century, in Europe and beyond, sought to create revolutionary new orders that crushed their opponents. A central component of such regimes' exertion of control was criminal law, a focal point and key instrument of state punitive and repressive power. This collection brings together a range of original essays by international experts to explore questions of criminal law under Italian fascism and other similar regimes, including Franco's Spain and inter-war Romania and Japan. Addressing issues of substantive criminal law, the form and function of criminal justice institutions, and the role and perception of criminal law in processes of transition, the book casts new light on fascism's criminal legal history, as well as related questions of theoretical interpretation and historiography. At the heart of the book is the problematic issue of continuity and similarity among fascist systems and preceding, contemporaneous, and subsequent legal orders, an issue that goes to the heart of fascist regimes' historical identity and the complex relationship between them and the legal orders constructed in their aftermath. [Subject: Criminal Law, Legal History, Comparative Law]

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